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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/649,334	08/27/2003	John W. Tadlock	085455-9510-00	4581

23409 7590 12/23/2005

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EXAMINER

KIM, YOON YOUNG

ART UNIT	PAPER NUMBER
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1723

DATE MAILED: 12/23/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/649,334

Applicant(s)

TADLOCK, JOHN W.

Examiner

Yoon-Young Kim

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 15-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 15-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>0804</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Election/Restrictions

1. Claims 1-14 and 25-47 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to nonelected inventions, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on November 21, 2005.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 15-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Rothwell, U.S. Patent No. 5,407,571.

Regarding Claim 15, Rothwell discloses a modular fluid treatment system, comprising: a first fluid treatment module (Fig. 1, #B) having a first head (#1); and first (Fig. 1, #31'), second (#21'), and third (#22') fluid ports on the first head, each of the fluid ports on the first head providing connection locations to which the first head can be connected to at least one other fluid treatment module; a second fluid treatment module (Fig. 1, #A) having a second head (#1); and a first port (Fig. 1, #31) on the second head; the first head having a first orientation with respect to the second head in which the first fluid port of the first head is in a first connection location and in which the second fluid port is in a second connection location (Fig. 1), and a second orientation with respect to the second head in which the third fluid port (Fig. 4, '31) of

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the first head (#D) is in the first connection location and in which the second fluid port is in a third connection location.

Regarding Claim 16, Rothwell discloses that the heads of the first and second fluid treatment modules are substantially identical (Fig. 1).

Regarding Claim 17, Rothwell discloses that the first head has a fourth fluid port (Fig. 1, #32'); and the fourth fluid port (Fig. 4, #21') is in the second connection location (Col. 6, Lines 43-55) in the second orientation of the first head (#D).

Regarding Claim 18, Rothwell discloses that the fourth fluid port (Fig. 4, #21') is in the third connection location (without #50) in the second orientation of the first head (#D).

Regarding Claim 19, Rothwell discloses that the first fluid port (Fig. 1, #31') is releasably connectable to the first fluid port (Fig. 1, #32) of the second head in the first orientation of the first head.

Regarding Claims 20-21, Rothwell discloses that the second head includes a second fluid port (Fig. 1, #22) releasably connectable to the second fluid port (Fig. 1, #21') of the first head in the first orientation of the first head.

Regarding Claim 22, Rothwell discloses that the third fluid port (Fig. 4, #31') of the first head is releasably connectable to the first fluid port (Fig. 4, #32) of the second head (#C) in the second orientation of the first head.

Regarding Claim 23, Rothwell discloses that the first (Fig. 1, 31') and second (#21') fluid ports of the first head are located on a side of the first head opposite the third (#22') fluid port of the first head.

Regarding Claim 24, Rothwell discloses that the first (Fig. 1) and second (Fig. 4) orientations of the first head are separated by approximately 180 degrees of rotation of the first head.

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Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yoon-Young Kim whose telephone number is (571) 272-2240. The examiner can normally be reached on 8:30-4:30, Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wanda Walker can be reached on (571) 272-1151. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

YK
12/15/05


W. L. WALKER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700